

VZCZCXRO4298  
RR RUEHMA RUEHPA  
DE RUEHFN #0157/01 1211213  
ZNR UUUUU ZZH  
R 011213Z MAY 09  
FM AMEMBASSY FREETOWN  
TO RUEHC/SECSTATE WASHDC 2605  
INFO RUEHZK/ECOWAS COLLECTIVE

UNCLAS SECTION 01 OF 02 FREETOWN 000157

SIPDIS

DEPARTMENT FOR AF/W (JHUNTER)

E.O. 12958

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [PINR](#) [SL](#)

SUBJECT: LAND MARK COCAINE SENTENCE HANDED DOWN

REF: 08 FREETOWN 336  
FREETOWN 152  
FREETOWN 154

1. SUMMARY: Justice Nicholas Colin Browne-Marke, Justice of the Appeals Court and Presiding Judge on the Sierra Leone's cocaine case (reftels A and B), handed custodian sentences and fines to all fifteen accused persons on Tuesday April 21. For the accused Sierra Leoneans, the fines ranged from 25 million Leones (8,000 USD) to 300 million Leones (100,000 USD) and the sentences ranged from two years to five years. The fines for the accused foreigners ranged from 1.5 million to 4 million USD, with prison sentences of five years. This cable serves to provide details of the final sentencing for all those convicted in the case noted in reftels. END SUMMARY

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SENTENCING  
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2. On Tuesday April 21, Justice Nicolas Colin Browne-Marke, Justice of the Appeals Court and Presiding Judge for the cocaine trial in Sierra Leone, handed down custodian sentences and fines to all fifteen accused persons. The accused were convicted and sentenced on varying combinations of five counts. Count I, for the 'importation of a prohibited drug without lawful authority contrary to the law'; Count II, for 'accessory after the fact to the importation of a prohibited drug without lawful authority'; Count IV, for 'possession of a prohibited drug without lawful authority'; Count V, for 'conspiracy to import a prohibited drug without lawful authority'; and Count VI, for 'knowingly and willfully displaying a false mark on an aircraft contrary to the law'. None of the accused were convicted on Count III, 'misprision of felony'.

3. Sentencing was as follows:

George Aritstizabel Archilla, Victor Manuel Araujo Lastreto, and Julio Cesar Morales-Cruz, the first, second and third accused respectively, were each convicted on all five counts. They were each fined a total of four million dollars and sentenced to five years imprisonment.

Harvey Steven Perez, the eighth accused, was convicted on Counts II and V. He was fined a total of five million dollars and sentenced to five years imprisonment.

Gerardo Quistana Perez, the ninth accused, was convicted on Counts II and V. He was fined a total of two million dollars and sentenced to five years imprisonment.

Yeimy Fernandez Leandro, the tenth accused, was convicted on Counts II and V. He was fined a total of three million dollars and sentenced to five years imprisonment.

Mohamed Bashil Sesay (AKA Ahmed Sesay), the fourth accused, was convicted on Count V. He was fined 300 million Leones and sentenced to five years imprisonment.

Hassan Karim Mansaray, the fifth accused, was convicted on Count V.

He was fined 100 million Leones and sentenced to two years imprisonment.

Patrick Moriba Bah, the sixth accused, was convicted on Count V. He was fined 25 million Leones and sentenced to five years imprisonment.

Chernor Momodu Bah, the seventh accused, was convicted on Count V. He was fined 150 million Leones and sentenced to five years.

Alex Romeo and Sadjo Sarr, the eleventh and sixteenth accused respectively, were each convicted on Count V. They were both fined 1.5 million dollars and sentenced to five years imprisonment.

Ibrahim Mohamed Manley and Alimamy Kabia, the twelfth and fifteenth accused respectively, were convicted on Count V. They were both fined 150 million Leones and sentenced to five years imprisonment.

Mohamed Musa Kamara, eighteenth accused, was convicted on Count V. He was fined 50 million Leones and sentenced to three years imprisonment.

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CONSEQUENTIAL ORDERS: RESTITUTIONAL,  
CONFISCATION FORFEITURE  
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13. The Judge ruled that all the accused persons have a right to appeal within twenty-one days. He ordered that arms and ammunitions found in the residences, vehicles or on the persons of the accused should be handed over to the Chief of Defense Staff of the Sierra Leone Armed Forces. The judge ordered that the passports of the

FREETOWN 00000157 002 OF 002

Sierra Leoneans be handed over to the Chief Immigration Officer and the passports of the foreigners be kept in the court. All monies seized from any of the accused persons and tendered in court as exhibit should be used in the payment of the fines of the affected accused persons. He ordered that the aircraft used to transport the cocaine be sold on May 5 and that the cocaine should be destroyed within forty-eight hours. The judge also recommended an expulsion order for the accused foreigners. He ordered that all vehicles seized in connection with the case be handed over to the Master and Registrar of the High Court with exception of one Mercedes Truck, which should be returned to the President's Office.

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AFTERMATH OF THE SENTENCE  
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14. Sierra Leoneans have shown mixed reactions to the verdict and sentencing, feeling that the punishment was too light. Others had expressed skepticism that the cocaine would be intact by the time it was destroyed. However, the cocaine was eventually destroyed in a legitimate public ceremony on 23 April witnessed by embassy personnel and other international observers(reftel C).